

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

THOMAS D. McCracken,

Plaintiff,

No. CIV S-03-1047 FCD DAD P

vs.

M. SMELOSKY, J.P. HERNANDEZ,  
and C. HOLM,

Defendants.

**ORDER & WRIT OF HABEAS CORPUS**

**AD TESTIFICANDUM**

THOMAS D. McCracken, inmate # J-21493, a necessary and material witness in proceedings in this case on May 26, 2006, is confined in Mule Creek State Prison, 4001 Highway 104, P.O. Box 409099, Ione, CA 95640, in the custody of the Warden Rosanne Campbell; in order to secure this inmate's attendance it is necessary that a Writ of Habeas Corpus ad Testificandum issue commanding the custodian to produce the inmate before the Honorable Frank C. Damrell, to appear by video-conferencing at Mule Creek State Prison, May 26, 2006, at 10:00 a.m.

ACCORDINGLY, IT IS ORDERED that:

1. A Writ of Habeas Corpus ad Testificandum issue, under the seal of this court, commanding the Warden to produce the inmate named above to testify by video-conferencing before the United States District Court at the time and place above, and from day to day until completion of court proceedings or as ordered by the court;
2. The custodian is ordered to notify the court of any change in custody of this inmate and is ordered to provide the new custodian with a copy of this writ; and
3. The Clerk of the Court is directed to serve a courtesy copy of this order and writ of habeas corpus ad testificandum on the IT Department of the Court.

**WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

**To: Warden Rosanne Campbell, Mule Creek State Prison, 4001 Highway 104, P.O. Box 409099, Ione, CA 95640:**

**WE COMMAND** you to produce the inmate named above to testify before the United States District Court at the time and place above by video-conferencing, and from day to day until completion of the proceedings or as ordered by the court.

**FURTHER**, you have been ordered to notify the court of any change in custody of the inmate and have been ordered to provide the new custodian with a copy of this writ.

DATED: March 21, 2006.

  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE